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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,274	07/17/2006	Klaus Kruckenhauser	1739-0184PUS1	5889
2292 7590 10/15/2009 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER				
PAIK, SANG YEOP				
ART UNIT		PAPER NUMBER		
3742				
NOTIFICATION DATE		DELIVERY MODE		
10/15/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/580,274

Applicant(s)

KRUCKENHAUSER ET AL.

Examiner

SANG Y. PAIK

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9 and 24 is/are rejected.
- 7) ☒ Claim(s) 8 and 10-23 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/88)
Paper No(s)/Mail Date 6/5/07, 7/17/06, 5/25/06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the abstract is too long and also contains an extraneous word such as "invention" and a legal phrase such as "means". Correction is required. See MPEP § 608.01(b).
2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 24 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 24, there is no proper antecedent basis for "the curved directing wall"

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruckl (US 5,386,097) in view of Beyer et al (US 2003/0197909) or Klein (DE 39 23 829).

Ruckl shows the structure claimed including a laser radiation for printing on a cylinder workpiece, a hood or a carriage which covers a region of interaction between the radiation and the workpiece, an interchangeable C-shaped ring with two ends that follow the circumference of the workpiece. But, Ruckl does not show the hood with a vacuum extraction channel.

Beyer shows a hood which covers over an interaction between the radiation and the workpiece wherein a vacuum extraction channel is provided for vacuuming or extracting the interior air of the hood, and Klein also shows that it is known to provide a hood that cover the interaction between the radiation and the workpiece with a vacuum extraction channel to provide the vacuuming of the hood interior therein.

In view of Chasr or Klein, it would have been obvious to one of ordinary skill in the art to adapt Ruckl with the vacuum extraction channel that is connected with a vacuum extraction line to extract the interior air of the hood to remove the debris resulting from the radiation interaction.

7. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruckl in view of Beyer or Klein as applied to claims 1, 2 and 9 above, and further in view of Urlichs (US 2003/0071423).

Ruckl in view of Beyer or Klein shows the structure claimed except for the C-shaped cover ring provided with means for reducing its free inside diameter.

Urlichs shows that it is known in the art to provide a workpiece holding member with a lamella seal to seals off the holding member by reducing its diameter with respect to the workpiece member.

In view of Urlichs, it would have been obvious to one of ordinary skill in the art to adapt Ruckl, as modified by Beyer or Klein, with the C-shaped ring with the means such as the lamellar seal to seals off the radiation interaction and allow the debris from the radiation interaction would more effectively vacuumed or extracted to the vacuum extraction source.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ruckl in view of Beyer or Klein as applied to claims 1, 2 and 9 above, and further in view of Rinaldi (US 5,126,523).

Ruckl in view of Beyer or Klein shows the structure claimed except for the C-shaped cover ring with that is subdivided into at least two ring segments.

Rinaldi shows that it is known in the art to provide a C-shape cover ring with at least two segments that are pivotally held each other.

In view of Rinaldi, it would have been obvious to one of ordinary skill in the art to adapt Ruckl, as modified by Beyer or Klein, with the C-shaped ring with at least two

segments to conveniently allow the workpiece to be held by the C-shaped ring segments which allows more flexibility to conform to the workpiece peripheral surface.

Allowable Subject Matter

9. Claims 8, 10-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and

10. Claim 24 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANG Y. PAIK whose telephone number is (571) 272-4783. The examiner can normally be reached on M-F (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu Hoang can be reached on (571) 272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SANG Y PAIK/
Primary Examiner, Art Unit 3742